

**UNITED STATES DISTRICT COURT§  
SOUTHERN DISTRICT OF NEW YORK**

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DEBORAH MOSLEY,	:	
	:	
Plaintiff,	:	20-CV-7940 (OTW)
-against-	:	
	:	
	:	<b><u>ORDER</u></b>
	:	
KILOLO KIJAKAZI, COMMISSIONER OF SOCIAL	:	
SECURITY,	:	
Defendant.	:	
	:	
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**ONA T. WANG, United States Magistrate Judge:**

Plaintiff, Deborah Mosley, filed concurrent claims for both Title II and Title XVI benefits under the Social Security Act with a protective filing date of **November 14, 2016**. (ECF 7 at 11). The parties' Joint Stipulation does not discuss whether the Treating Physician Rule or the new regulations in 20 CFR §§ 404.1520c and 416.920c apply in Plaintiff's case. (ECF 26). *See e.g., Acosta Cuevas v. Comm'r of Soc. Sec.*, No. 20-CV-0502 (AJN)(KHP), 2021 WL 363682, at \*9 (S.D.N.Y. Jan. 29, 2021), *R&R adopted sub nom. Cuevas v. Comm'r of Soc. Sec.*, No. 20-CV-0502 (KMW)(KHP), 2022 WL 717612 (S.D.N.Y. Mar. 10, 2022); Revisions to Rules Regarding the Evaluation of Medical Evidence, 2017 WL 168819, 82 Fed. Reg. 5844-01, at \*5844 (Jan. 18, 2017); *see also* 20 C.F.R. §§ 404.1520c and 416.920c (addressing "[h]ow we consider and articulate medical opinions and prior administrative medical findings for claims filed on or after March 27, 2017").

The parties are directed to meet and confer and submit a joint status letter on **July 26, 2022**, identifying the applicable rule, and proposing a briefing schedule for supplemental briefing that actually applies the rule.

**SO ORDERED.**

Dated: July 12, 2022  
New York, New York

*s/ Ona T. Wang*

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**Ona T. Wang**  
United States Magistrate Judge